

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
DIANE L. BAKER, XXX-XX-6541,

Plaintiff,

-against-

NANCY A. BERRYHILL, ACTING COMMISSIONER
OF SOCIAL SECURITY,

Defendant.

ANALISA TORRES, District Judge:

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17 Civ. 8433 (AT) (DCF)

**ORDER ADOPTING
REPORT AND
RECOMMENDATION**

On November 1, 2017, Plaintiff Diane Baker, filed this action pursuant to 42 U.S.C. § 405(g) challenging the final decision of Defendant, the Acting Commissioner of Social Security, to deny her Disability Insurance Benefits. ECF No. 1. On November 2, 2017, the Court referred the matter to the Honorable Debra C. Freeman. ECF No. 5. On April 13, 2018, Plaintiff moved to remand for further administrative proceeds. ECF No. 15. On July 24, 2018, Defendant moved for judgment on the pleadings. ECF No. 19.

After careful consideration, on February 19, 2019, Judge Freeman issued a Report and Recommendation (“R&R”), proposing that Plaintiff’s motion for a remand be granted and Defendant’s motion for judgment on the pleadings be denied. ECF No. 25. Despite notification of the right to object to the R&R, no objections were filed, and the time to do so has passed. *See* Fed. R. Civ. P. 72(b)(2). When no objection is made, the Court reviews the R&R for clear error. *Santiago v. Colvin*, 12 Civ. 7052, 2014 WL 1092967, at *1 (S.D.N.Y. Mar. 17, 2014). The Court finds no clear error. The Court, therefore, ADOPTS Judge Freeman’s R&R in its entirety. Accordingly, this case is remanded to the Social Security Administration for further proceedings pursuant to 42 U.S.C. § 405(g).

The Clerk of Court is directed to terminate the motions at ECF Nos. 15 and 19, and close the case.

SO ORDERED.

Dated: March 6, 2019
New York, New York



ANALISA TORRES
United States District Judge